

EXHIBIT 6

Page 3

1	I N D E X	
2		
3	GUISEPPE DiMAGGIO	PAGE
4	Direct by Mr. Rajadurai	4

10 EXHIBITS

12	DiMAGGIO	ID
13	1 - 6/10/14 Central Index System - ID	
14	Search/Display	12
15	3 - 3/8/11 Central Index System - ID	
16	Search/Display	9

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1 (Witness duly sworn.)
2 GUISEPPE DiMAGGIO,
3 called as a witness herein, having been first
4 duly sworn, was examined and testified as
5 follows:
6 **DIRECT EXAMINATION**
7 **BY MR. RAJADURAI:**
8 Q. Good morning again, Mr. DiMaggio.
9 A. **Good morning.**
10 Q. Hopefully we can keep this short and
11 sweet.
12 Figure I'd run through the
13 ground rules again. I'll ask the questions.
14 Allow you to answer. Try not to speak over me
15 or -- so she can keep a clear record. And then
16 say yes or no or answer verbally so that she can
17 write that down.
18 A. **(Nodding.)**
19 Q. So I guess I'll start.
20 Are you aware of the Child
21 Citizenship Act of 2000?
22 A. **Yes.**
23 Q. And when did you first become aware of
24 that?

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<p>1 A. At the academy.</p> <p>2 Q. Okay. And do you remember what year</p> <p>3 that would have been?</p> <p>4 A. 2009.</p> <p>5 Q. Okay.</p> <p>6 And what is your</p> <p>7 understanding -- and we'll call it the CCA.</p> <p>8 What is your understanding of the CCA?</p> <p>9 A. Well, to facilitate the acquisition of</p> <p>10 U.S. citizenship of foreign-born children of</p> <p>11 U.S. citizens and certain requirements have to</p> <p>12 be met.</p> <p>13 Q. Do you know what those requirements</p> <p>14 are?</p> <p>15 A. They have to be under the age of 18.</p> <p>16 They have to be lawfully admitted into the</p> <p>17 United States. They have to have one or both</p> <p>18 parents U.S. citizens, and they have to</p> <p>19 physically live in a legal address of their</p> <p>20 parents.</p> <p>21 Q. And going back to the academy, what</p> <p>22 kind of training did you receive on this topic,</p> <p>23 of the CCA?</p> <p>24 A. What do you mean what kind of</p>	<p>1 Q. Do you remember what the other topics</p> <p>2 were?</p> <p>3 A. No.</p> <p>4 Q. Did you receive any other follow-up</p> <p>5 training during your time working with detainees</p> <p>6 and issuing detainees on this topic?</p> <p>7 A. Not that I remember.</p> <p>8 Q. Do you remember ever receiving any</p> <p>9 updated, hard-copy materials or emails about the</p> <p>10 CCA?</p> <p>11 A. I don't remember.</p> <p>12 Q. You mentioned that one of the</p> <p>13 requirements is for the minor to be a lawful,</p> <p>14 permanent resident. How would you go about</p> <p>15 determining that information of whether an</p> <p>16 individual is a lawful, permanent resident?</p> <p>17 A. Record checks.</p> <p>18 Q. And what checks would those be?</p> <p>19 A. Checks in CIS, claims.</p> <p>20 Q. And would you run those checks</p> <p>21 yourself or do you get that information from</p> <p>22 someone else?</p> <p>23 A. I would run it myself, and at that</p> <p>24 time we were provided hard copies from the</p>
Page 6	Page 8
<p>1 training?</p> <p>2 Q. Was it hard-copy materials or a</p> <p>3 training seminar or a lecture?</p> <p>4 A. We were given hard-copy material.</p> <p>5 Q. Do you remember who gave that to you?</p> <p>6 A. No.</p> <p>7 Q. Did you receive any sort of, I guess,</p> <p>8 verbal teaching for the lecture or any sort of</p> <p>9 video?</p> <p>10 A. Verbal teaching, yes.</p> <p>11 Q. Was that also at the academy?</p> <p>12 A. Yes.</p> <p>13 Q. Do you know how long that training</p> <p>14 was?</p> <p>15 A. No.</p> <p>16 Q. Was it part of a larger training or</p> <p>17 was it a separate, individual training just on</p> <p>18 the CCA?</p> <p>19 A. It was not individual. It was maybe</p> <p>20 like 20 people in our class.</p> <p>21 Q. I guess that saying, was that the only</p> <p>22 topic as part of that specific training or was</p> <p>23 it part of a larger group of topics?</p> <p>24 A. Part of a larger group of topics, yes.</p>	<p>1 contract that used to do that for us.</p> <p>2 Q. Okay.</p> <p>3 You testified before that it</p> <p>4 is your understanding that immigration detainees</p> <p>5 should not be issued against a U.S. -- against</p> <p>6 an individual that derived citizenship through</p> <p>7 the CCA, correct?</p> <p>8 A. That's correct.</p> <p>9 If we knew that he derived for</p> <p>10 effect, then yes, it shouldn't be issued.</p> <p>11 Q. Okay.</p> <p>12 And what steps would you take</p> <p>13 to investigate whether a minor or subject</p> <p>14 derived citizenship through the CCA before</p> <p>15 issuing a detainer?</p> <p>16 A. Check CIS, claims.</p> <p>17 Q. And is there certain information in</p> <p>18 CIS and claims that you look for? Is there a</p> <p>19 certain data point?</p> <p>20 A. The status of their entry and if they</p> <p>21 are naturalized.</p> <p>22 MR. RAJADURAI: I guess we'll start</p> <p>23 with this first exhibit here, and this was</p> <p>24 previously part of Exhibit 3. We just made it</p>

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1 shorter for this one.
2 (WHEREUPON, DiMaggio
3 Exhibit No. 3 was remarked for
4 identification on 7/18/14.)
5 **BY MR. RAJADURAI:**
6 Q. Are you familiar with this document?
7 **A. Yes.**
8 Q. And what would this document be?
9 **A. It's a document from CIS. This**
10 **basically shows the status of the subject, the**
11 **class of admission, point of entry, date of**
12 **birth.**
13 Q. And what does it provide for
14 Mr. Mayorov's date of birth on this document?
15 **A. Date of birth shows 10/15/1990.**
16 Q. Okay. And what is the code "COA"?
17 What does that stand for?
18 **A. Class of admission.**
19 Q. Okay. And where it says "AS8" for his
20 class of admission, do you know what that stands
21 for?
22 **A. I believe that's --**
23 **MR. KUHN:** This, it being a follow-up
24 deposition, is limited to his familiarity with

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1 the Child Citizenship Act of 2000. If you want
2 to ask questions I'll -- I don't want you going
3 over all the stuff we went over before.
4 **MR. RAJADURAI:** Oh, this will be
5 pretty quick. This will tie into that.
6 **MR. KUHN:** Okay.
7 **THE WITNESS:** AS8, I believe that's
8 the child of an asylee.
9 **BY MR. RAJADURAI:**
10 Q. And does this document show that
11 Sergey became a lawful, permanent resident?
12 **A. Yes, it does.**
13 Q. And where is that?
14 **A. That's by the country of admission.**
15 **It says child of asylee.**
16 Q. And is the plaintiff's mother's
17 original name provided on this document?
18 **A. Mother's first name, yes. I don't**
19 **know if it's the original name, but I see**
20 **mother's first name.**
21 Q. Okay.
22 And based on the information
23 in this document, would you have investigated
24 further to determine if his parents had obtained

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1 U.S. citizenship before his 18th birthday,
2 before issuing a detainee?
3 **A. Yes.**
4 Q. Okay.
5 You previously testified that
6 a name search for a CIS entry would pick up
7 aliases for other individuals -- other names,
8 correct?
9 **A. Yes.**
10 Q. Do you recall running a search for the
11 plaintiff's mother's or father's CIS entry?
12 **A. Yes.**
13 **We usually run their mother**
14 **and their parents name in CIS to see if they**
15 **are, you know, U.S. citizens.**
16 Q. Okay.
17 **A. This is a 2010 case. 2011 I can't**
18 **really, you know, for sure say yes, I did that**
19 **but...**
20 Q. Sure. Absolutely.
21 And do you run those searches
22 to identify whether there is a potential
23 citizenship issue with the CCA?
24 **A. Yes, we do.**

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1 Q. And would a record of that search
2 appear in the deportation report, the secured
3 communities report?
4 **A. If a copy was printed, yes.**
5 **MR. RAJADURAI:** Let's refer to another
6 exhibit here. This is a new one. We can call
7 this 1.
8 (WHEREUPON, DiMaggio
9 Exhibit No. 1 was marked for
10 identification on 7/18/14.)
11 **BY MR. RAJADURAI:**
12 Q. Are you familiar with this document?
13 Have you seen this before?
14 **A. Yes, the CIS.**
15 **Have I seen this particular?**
16 **I don't know. But yes, I'm familiar with this**
17 **data. Yes.**
18 Q. And does the plaintiff's mother, Tanya
19 May's original name appear on this document?
20 **A. Well, it shows first name Tanya.**
21 **Again, I don't know if that's her original name.**
22 Q. I guess the same thing on this
23 document. The COA stands for class of
24 admission?

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1 **A. COA, yes, class of admission.**
2 Q. So in this case this would provide
3 that Tanya May, alias Mayorova, was a U.S.
4 citizen?
5 **A. Correct.**
6 Q. And does this document provide when
7 the individual became a citizen?
8 **A. Yes.**
9 Q. And where is that?
10 **A. It says "NATZ DATE" on the top right**
11 **corner.**
12 Q. And based on that information, does
13 that provide the plaintiff's mother became a
14 U.S. citizen before Mr. Mayorov turned 18?
15 **A. Yes.**
16 Q. And does this document show any alias
17 names for Tanya May?
18 **A. Yes.**
19 Q. And what is that?
20 **A. Mayorova.**
21 Q. So if you ran -- I'm sorry.
22 And then what about her first
23 name? Any aliases there also?
24 **A. Yes. Tatyana.**

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1 Q. And that matches the name from
2 Exhibit 3 that you looked at before for his
3 mother's name?
4 **A. Correct.**
5 Q. So based on the information on these
6 two CIS entries, would you be concerned about
7 issuing a detainer to Mr. Mayorov?
8 **A. We still have to investigate because,**
9 **as I said, they have to live physically, you**
10 **know, in the same address where the parents**
11 **lived. So we still have to investigate to see**
12 **if he was eligible to become a U.S. citizen or**
13 **to derive.**
14 Q. And is that also part of the CCA check
15 then to find if they live at the same address?
16 **A. Yes. That's one of the requirements.**
17 Q. Is there any order in which you
18 investigate the different elements of the CCA?
19 **A. Not that I know of.**
20 Q. Okay.
21 **A. The detainer, like I said, it's not**
22 **to -- the investigation starts when they come to**
23 **our custody.**
24 Q. Okay. So I guess in all the

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1 requirements of the CCA you can identify the
2 right information in any order that you want?
3 **A. Yes, I guess.**
4 Q. Would you -- based on this information
5 would you have interviewed the plaintiff's
6 mother in this case?
7 **MR. KUHN:** When?
8 **MR. RAJADURAI:** After reviewing the
9 CIS entry --
10 **MR. KUHN:** Before entering the
11 detainer or after?
12 **MR. RAJADURAI:** Before. Before.
13 **THE WITNESS:** Before entering the
14 detainer?
15 **MR. RAJADURAI:** Yes.
16 **THE WITNESS:** No.
17 **BY MR. RAJADURAI:**
18 Q. And why not?
19 **A. Because he's not in our custody.**
20 Q. How would you determine her address
21 otherwise?
22 **A. I'd have to talk to the subject once**
23 **they come to our custody and find out.**
24 Q. And did you have an opportunity to do

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1 that in this case?
2 **A. No. That is what the detainer does.**
3 **It gives us a chance to talk to him to find out**
4 **whether or not he's, you know, a U.S. citizen.**
5 Q. Okay.
6 And then turning back just
7 generally to the CCA. Does an individual that
8 derives citizenship through the CCA, do they
9 have to file an application or paperwork to
10 become a U.S. citizen?
11 **A. I don't know if they do have to file**
12 **paperwork. They could just derive. I think**
13 **they can just derive citizenship and they are a**
14 **citizen.**
15 Q. Okay.
16 Is there any requirement that
17 you have to inquire into a parents' citizenship
18 status if a person is born after the date to
19 qualify for the CCA?
20 **A. Can you repeat that.**
21 Q. Sure.
22 Is there any requirement that
23 you have to inquire, do a search on the parents'
24 citizenship if an individual is born after the

<p style="text-align: right;">Page 17</p> <p>1 date the CCA applies?</p> <p>2 A. After the date?</p> <p>3 MR. KUHN: I'll object to form of the</p> <p>4 question. But you can go ahead and answer it,</p> <p>5 if you can.</p> <p>6 MR. RAJADURAI: I guess I can rephrase</p> <p>7 --</p> <p>8 THE WITNESS: Can you repeat the</p> <p>9 question.</p> <p>10 BY MR. RAJADURAI:</p> <p>11 Q. Sure.</p> <p>12 So I guess based on the CIS</p> <p>13 entry that you see and there is a date about the</p> <p>14 age of the individual and they are not 18 yet,</p> <p>15 are you required to then inquire into the</p> <p>16 parents' citizenship to determine whether they</p> <p>17 qualify for the CCA?</p> <p>18 A. I don't know if I am required.</p> <p>19 Q. Okay.</p> <p>20 A. We do -- we do check the information</p> <p>21 of the parents and try to figure it out whether</p> <p>22 or not there is a possibility that the child</p> <p>23 derived citizenship.</p> <p>24 Q. Let me ask it a different way.</p>	<p style="text-align: right;">Page 19</p> <p>1 individual subject under 18 and an LPR, would</p> <p>2 this scenario caution against issuing a detainer</p> <p>3 before you could determine the parents'</p> <p>4 citizenship?</p> <p>5 A. Yes.</p> <p>6 Q. And what would you do to, I guess,</p> <p>7 alleviate that concern, get rid of that concern?</p> <p>8 A. I would do my database. I would look</p> <p>9 into the database and try to find out, you know,</p> <p>10 if the parents' naturalized and what year they</p> <p>11 naturalized and determine whether or not, you</p> <p>12 know, there's a possibility that they could've</p> <p>13 derived citizenship.</p> <p>14 Q. Okay.</p> <p>15 I guess under what</p> <p>16 circumstances would you decide whether a subject</p> <p>17 had derived citizenship through the CCA?</p> <p>18 A. I'd have to have all the information</p> <p>19 in front of me. I'd have to have proofs that</p> <p>20 the subject lived in the same address as the USC</p> <p>21 parent or parents. I'd have to have proof that</p> <p>22 the, you know, subject's parents have</p> <p>23 naturalized before the subject turned 18. I'd</p> <p>24 have to have proof that the subject was legally</p>
<p style="text-align: right;">Page 18</p> <p>1 So let's say the child is</p> <p>2 under 18 and an LPR based on what you see. Are</p> <p>3 you then required to investigate whether the</p> <p>4 parent is a citizen?</p> <p>5 A. Again, I don't know if we are</p> <p>6 required.</p> <p>7 Q. In what circumstances would you</p> <p>8 look -- inquire into the parents' citizenship</p> <p>9 status since you are not required?</p> <p>10 A. In this case we do look for -- we do</p> <p>11 check their parents' class of admission and</p> <p>12 whether or not they're a citizen. So I guess if</p> <p>13 the subject is an LPR, we do -- we check if</p> <p>14 their parents are citizens.</p> <p>15 Q. Okay.</p> <p>16 And do you know if that's part</p> <p>17 of any written materials that you have are the</p> <p>18 requirements or are you just told?</p> <p>19 A. I'm not sure.</p> <p>20 Q. And would that be recorded anywhere if</p> <p>21 you investigated into the parents' citizenship</p> <p>22 prior to issuing the detainer?</p> <p>23 A. I don't know.</p> <p>24 Q. Would a scenario where you saw an</p>	<p style="text-align: right;">Page 20</p> <p>1 admitted into the United States.</p> <p>2 Q. So in those cases where you are trying</p> <p>3 to determine if the CCA applies, are you the one</p> <p>4 required to find all that information out?</p> <p>5 MR. KUHN: Again, are you talking</p> <p>6 about during an investigation or before --</p> <p>7 MR. RAJADURAI: Prior. These</p> <p>8 questions --</p> <p>9 MR. KUHN: Before issuing a charging</p> <p>10 document or before issuing a detainer?</p> <p>11 MR. RAJADURAI: This will all be prior</p> <p>12 to issuing the detainer.</p> <p>13 THE WITNESS: Prior of issuing a</p> <p>14 detainer?</p> <p>15 MR. RAJADURAI: Yeah.</p> <p>16 THE WITNESS: I'm not required of</p> <p>17 doing that.</p> <p>18 MR. RAJADURAI: Okay.</p> <p>19 BY MR. RAJADURAI:</p> <p>20 Q. Would there ever be a circumstance</p> <p>21 where you would issue a detainer without having</p> <p>22 information about a parents' citizenship status</p> <p>23 for an individual who may qualify under the CCA?</p> <p>24 A. Repeat that.</p>

<p style="text-align: right;">Page 21</p> <p>1 Q. Sure.</p> <p>2 For an individual who might</p> <p>3 derive citizenship through the CCA, if you don't</p> <p>4 have information about the parents' citizenship</p> <p>5 status, would you still issue a detainer?</p> <p>6 A. Yes.</p> <p>7 Q. And under what -- and why would you do</p> <p>8 that? Under what circumstances?</p> <p>9 A. To do an investigation.</p> <p>10 Q. And so after you've issued the</p> <p>11 detainer, you would conduct an investigation</p> <p>12 into the parents' citizenship status?</p> <p>13 A. When the subject is in our custody.</p> <p>14 Q. Okay. And do you recall if you did</p> <p>15 that in this case?</p> <p>16 A. Subject was never in our custody.</p> <p>17 Q. Okay.</p> <p>18 In other cases when the</p> <p>19 subject is in your custody, what steps do you</p> <p>20 take under the --</p> <p>21 A. I have never worked for the criminal</p> <p>22 alien program yet, so I can't answer for that.</p> <p>23 Q. Okay.</p> <p>24 In your time issuing</p>	<p style="text-align: right;">Page 23</p> <p>1 MR. RAJADURAI: That's all I've got.</p> <p>2 MR. KUHN: Okay. Thank you. We will</p> <p>3 reserve.</p> <p>4 THE WITNESS: Thank you.</p> <p>5 (WHEREUPON, a discussion</p> <p>6 was held off the record.)</p> <p>7 THE REPORTER: Would you like a</p> <p>8 transcript?</p> <p>9 MR. RAJADURAI: Yes. I would like a</p> <p>10 PDF transcript.</p> <p>11</p> <p>12 (WHEREUPON, the deposition</p> <p>13 concluded at 10:26 a.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 22</p> <p>1 detainees, which I believe was 2009 to 2013, how</p> <p>2 many individuals did you encounter that you</p> <p>3 thought may have derived citizenship through the</p> <p>4 CCA?</p> <p>5 A. Don't know.</p> <p>6 Q. Any estimate? 10, 15, a hundred?</p> <p>7 A. I really -- I don't know.</p> <p>8 Q. Sure.</p> <p>9 Do you recall issuing</p> <p>10 detainees against any individuals who ultimately</p> <p>11 did derive citizenship through the CCA?</p> <p>12 A. I don't.</p> <p>13 Q. Do you recall any other cases where</p> <p>14 you issued a detainer and then an individual was</p> <p>15 a U.S. citizen?</p> <p>16 A. There might have been a couple times</p> <p>17 where we had to lift the detainer.</p> <p>18 Q. And do you know what reason the</p> <p>19 detainer was lifted?</p> <p>20 A. We were provided with a birth</p> <p>21 certificate.</p> <p>22 Q. And then did you have to cancel the</p> <p>23 detainer? Is that the official --</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 24</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF ILLINOIS</p> <p>3 EASTERN DIVISION</p> <p>4 SERGEY MAYOROV,)</p> <p>5 Plaintiff,)</p> <p>6 vs.) No. 13 CV 5249</p> <p>7 UNITED STATES OF AMERICA) Judge Pallmeyer</p> <p>8 Defendant.)</p> <p>9</p> <p>10 VOLUME II</p> <p>11 I hereby certify that I have read the</p> <p>12 foregoing transcript of my deposition given on</p> <p>13 July 18, 2014, consisting of pages 1 through 26,</p> <p>14 inclusive, and I do again subscribe and make</p> <p>15 oath that the same is a true, correct and</p> <p>16 complete transcript of my deposition given as</p> <p>17 aforesaid, with corrections, if any, appearing</p> <p>18 on the attached correction sheet(s).</p> <p>19</p> <p>20 ____ Correction sheet(s) attached.</p> <p>21</p> <p>22 _____</p> <p>23 GUISEPPE DiMAGGIO</p> <p>24</p> <p>20 Subscribed and sworn to</p> <p>21 before me this ____ day</p> <p>22 of _____, 2014.</p> <p>23 _____</p> <p>24 Notary Public</p>

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1 STATE OF ILLINOIS)
2 COUNTY OF C O O K)SS:
3

4 I, DONNA WADLINGTON SHAVERS,
5 Certified Shorthand Reporter within and for the
6 County of Cook and State of Illinois, do hereby
7 certify that heretofore, to-wit, on the 18th day
8 of July, 2014, personally appeared before me at
9 208 South LaSalle Street, Suite 1300, in the
10 City of Chicago, County of Cook and State of
11 Illinois, GUISEPPE DiMAGGIO, produced as a
12 witness for examination in said cause.

13 I further certify that the
14 said witness, GUISEPPE DiMAGGIO, was by me first
15 duly sworn to testify the truth, the whole truth
16 and nothing but the truth in the cause aforesaid
17 before the taking of the examination under oath;
18 that the testimony was reduced to writing in the
19 presence of said witness by means of machine
20 shorthand and afterwards transcribed into
21 typewriting, and that the foregoing is a true
22 and correct transcript of the testimony given by
23 said witness.

24 I further certify that I am

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1 not counsel for nor in any way related to any of
2 the parties to this suit, nor am I in any way
3 interested in the outcome thereof.

4 I further certify that my
5 certificate annexed hereto applies to the
6 original and court-reporter produced copies of
7 transcripts only. I assume no responsibility
8 for the accuracy of any reproduced copies no
9 made under my control or direction.

10 In testimony whereof, I have
11 hereunto set my hand this 27th day of July,
12 2014.

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DONNA WADLINGTON SHAVERS
CSR No. 084-002443